

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

In Re: Case No.: 18-31281  
GARY DENOVCHIK Chapter: 7  
Judge: Sherwood

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**NOTICE OF PROPOSED ABANDONMENT**

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Jay L. Lubetkin , Chapter 7 Trustee in this case proposes to abandon property of the estate described below as being of inconsequential value. If you object to the abandonment, you must file a written objection with the Clerk of the United States Bankruptcy Court and serve it on the party named below not later than 7 days before the hearing date.

**Address of the Clerk:** Clerk, United States Bankruptcy Court

Martin Luther King, Jr. Federal Building  
50 Walnut Street, 3<sup>rd</sup> Floor  
Newark, New Jersey 07102

If an objection is filed, a hearing will be held before the Honorable John K. Sherwood on July 28, 2020 at 10:00a.m. at the United States Bankruptcy Court, Courtroom no. 3D, 50 Walnut Street, Newark New Jersey . (Hearing date must be at least 28 days from the date of this notice). If no objection is filed, the abandonment shall take effect on entry by the clerk of a Certification of No Objection.

**Description and value of property:** The Trustee administered a personal injury action for the benefit of the bankruptcy estate which was described as having a value of \$97,681.71. At that value, based upon the assumption of a 33% fee to special counsel, and the Debtor's exemptions, there would be approximately \$27,000 in net equity for the benefit of the bankruptcy estate. However, special counsel, who is located in Chicago, Illinois, had a fee arrangement that required a 40% payment, and the settlement relates to a multi-district litigation matter, requiring reductions for a multi-district litigation assessment and administration fees and expenses, which resulted in the bankruptcy estate receiving only \$69,167.79. At that amount, less the incurred attorneys' fees to special counsel of \$39,072.68, and the Debtor's claimed exemptions, which are proper, in the aggregate amount of \$36,275, there are no net proceeds for the benefit of the bankruptcy estate. As a result, the Trustee believes it is now reasonable, necessary, and appropriate to abandon the proceeds from the personal injury litigation, to return such proceeds to special counsel, and to have special counsel distribute those proceeds as an asset not being administered by the Trustee. Thus, the Trustee concludes he has no choice but to move to abandon the personal injury litigation and associated proceeds.

**Liens on property:** N/A

**Amount of equity claimed as exempt:** \$36,275

Objections must be served on, and requests for additional information directed to:

Name: Jay L. Lubetkin, /s/ Jay L. Lubetkin; Rabinowitz, Lubetkin & Tully, L.L.C.

Address: 293 Eisenhower Parkway, Suite 100, Livingston, NJ 07039

Telephone No.: 973-597-9100

*rev.8/1/15*

In re:  
Gary J Denovchik  
Debtor

Case No. 18-31281-JKS  
Chapter 7

## CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin  
Form ID: pdf905

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Total Noticed: 30

Date Rcvd: Jun 25, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 27, 2020.

db +Gary J Denovchik, 74 Camp Lane, Fairfield, NJ 07004-1002  
aty +Rabinowitz Lubetkin & Tully L.L.C., 293 Eisenhower Parkway, Suite 100, Livingston, NJ 07039-1711  
aty +Wexler Wallace LLP, 55 W Monroes Street, Suite 3300, Chicago, IL 60603-5088  
517836014 American Express Legal, PO Box 278, Ramsey, NJ 07446-0278  
517992906 American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701  
517836015 +Amex, Correspondence, Po Box 981540, El Paso, TX 79998-1540  
517836016 +Anthony J. Migliaccio, Esq. DC 1231 18, 500 N. Franklin Tpke, Ramsey, NJ 07446-1177  
517836018 +Barclays Bank Delaware, Attn: Correspondence, Po Box 8801, Wilmington, DE 19899-8801  
517836021 +Cbusasears, Citicorp Credit Svrs/Centralized Bankrup, Po Box 790040, Saint Louis, MO 63179-0040  
517836023 +Citibank / Sears, Citicorp Credit Services/Attn: Centraliz, Po Box 790040, Saint Louis, MO 63179-0040  
517836024 +Citibank / Sunoco, Citicorp Credit Card/Centralized Bankrup, Po Box 790040, St Louis, MO 63179-0040  
517836025 +Citibank / The Home Depot, Citicorp Cr Svrs/Centralized Bankruptcy, Po Box 790040, St Louis, MO 63179-0040  
518068747 +Citibank, N.A., Citibank, N.A., 701 East 60th Street North, Sioux Falls, SD 57104-0493  
517836026 Credit Control, LLC, PO Box 546, Hazelwood, MO 63042-0546  
517836028 +First Source, 205 Bryant Woods South, Amherst, NY 14228-3609  
517836029 +Fred Weinberg Associates Esq, 125 S West Street, Wilmington, DE 19801-5014  
517836030 +Lyons Doughty Veldhuis DC 7173 18, 136 Gaither Drive, Suite 100, Mount Laurel, NJ 08054-1725  
517836031 +PNC Mortgage, 1801 E. 9th Street, Suite 200, Cleveland, OH 44114-3103  
517836032 +Sears Credit Card, PO Box 78051, Phoenix, AZ 85062-8051  
517836033 +Selip Stylianou, LLP, 10 Forest Ave, Suite 300, PO Box 914, Paramus, NJ 07653-0914  
517836035 +The Home Depot Credit Services, P.O. Box 9001010, Louisville, KY 40290-1010

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Jun 25 2020 23:29:02 U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534  
smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Jun 25 2020 23:29:01 United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235  
517836020 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jun 25 2020 23:34:13 Capital One, PO Box 30253, Salt Lake City, UT 84130-0253  
517836019 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jun 25 2020 23:33:36 Capital One, Attn: General Correspondence/Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285  
518052393 +E-mail/PDF: EBN\_AIS@AMERICANINFOSOURCE.COM Jun 25 2020 23:33:15 Capital One Bank (USA), N.A., 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901  
517923033 E-mail/Text: mrdiscen@discover.com Jun 25 2020 23:28:14 Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025  
517836027 +E-mail/Text: mrdiscen@discover.com Jun 25 2020 23:28:14 Discover Financial, Po Box 3025, New Albany, OH 43054-3025  
517836022 E-mail/PDF: ais.chase.ebn@americaninfosource.com Jun 25 2020 23:33:34 Chase Card Services, Attn: Correspondence Dept, Po Box 15298, Wilmington, DE 19850  
517836034 +E-mail/PDF: gecscedi@recoverycorp.com Jun 25 2020 23:32:51 Synchrony Bank/Care Credit, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060

TOTAL: 9

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

517836017 ##+Bank Of America, Nc4-105-03-14, Po Box 26012, Greensboro, NC 27420-6012

TOTALS: 0, \* 0, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

District/off: 0312-2

User: admin  
Form ID: pdf905

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\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309):** Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 27, 2020

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 24, 2020 at the address(es) listed below:

Barry J. Roy on behalf of Trustee Jay L. Lubetkin broy@rltlawfirm.com  
James C. Zimmermann on behalf of Debtor Gary J Denovchik jim@jzlawyer.com, office@jzlawyer.com  
Jay L. Lubetkin jlubetkin@rltlawfirm.com, NJ57@ecfcbis.com, lvala@rltlawfirm.com,  
rgaydos@rltlawfirm.com  
Jay L. Lubetkin on behalf of Trustee Jay L. Lubetkin jlubetkin@rltlawfirm.com,  
NJ57@ecfcbis.com, lvala@rltlawfirm.com, rgaydos@rltlawfirm.com  
Rebecca Ann Solarz on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION  
rsolarz@kmllawgroup.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6